

Natural Resource Restoration Group
Co-Chairperson: Marty Cramer, ConocoPhillips
Co-Chairperson: Jim McKenna, Port of Portland
Treasurer: Bob Wyatt, NW Natural

February 15, 2006

VIA EMAIL AND US MAIL

Ron Gouget
Coastal Protection and Restoration Division
National Oceanic and Atmospheric Administration
7600 Sand Point Way, NE, Bldg 4
Seattle, WA 98115-6349

Katherine A. Pease
Senior Counsel for Natural Resources
National Oceanic and Atmospheric Administration
Office of General Counsel
501 West Ocean Boulevard, Suite 4470
Long Beach, CA 90802

Re: Portland Harbor Natural Resource Damage Assessment

Dear Ron and Katherine:

We are writing in furtherance of the conversation Jim McKenna had with you last Friday. We wanted to follow up, on behalf of the Natural Resource Restoration Group (NRRG), to confirm some of the key points Jim raised with you and to suggest a possible path forward to the Portland Harbor Natural Resources Trustee Council.

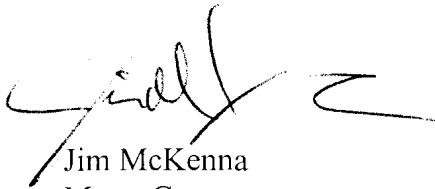
As NRRG indicated when we withdrew from the formal Cooperative Natural Resource Damage Assessment process, all members of NRRG remain committed to restore natural resources damaged by CERCLA releases in Portland Harbor. Further, as we raised with both of you in several meetings since then, particularly in the meetings with the Trustee Council's Outreach Team, even without a formal agreement in place, NRRG is willing to consider funding and/or cooperating in natural resource assessment studies that are focused on moving the restoration process forward. Specifically, last year, we suggested meeting with the Trustee Council to discuss assessment of juvenile salmon, lamprey and sturgeon in the Harbor. This sentiment was shared by the Trustee Outreach Committee during a meeting with NRRG in early 2005. As a result, a coordinated juvenile salmon sampling effort was successfully developed and implemented for the Lower Willamette River between EPA (CERCLA RI/FS) and the Natural Resource Trustees (NRDA).

As you are aware, the Lower Willamette Group and the U.S. Environmental Protection Agency (EPA) are currently discussing whether additional lamprey investigation is necessary to complete the final field sampling effort (*i.e.*, Round 3) for the CERCLA Remedial Investigation/Feasibility Study (RI/FS). We are also in receipt of a City of Portland paper from its Endangered Species Act compliance team regarding lamprey. NRRG members recognize the lamprey as not only an important species to the Lower Willamette River ecosystem, hence warranting evaluation in the ecological risk assessment, but also recognize that the Native American tribes consider lamprey to be of great cultural significance.

Given this confluence of interests, and given the different data objectives in play (CERCLA risk assessment, Endangered Species Act compliance, Natural Resource Damage assessment), NRRG believes it would be useful to meet to discuss possible ideas to address the distinction between determining risk (for the RI/FS) and potential injury (for the NRDA) to lamprey. It certainly appears that it will be useful to have a discussion of the data objectives of each group and of possible studies to meet those objectives.

If this is of interest to the Trustee Council, NRRG would be happy to arrange a meeting location and to discuss with the Trustee Council an agenda and possibly third-party facilitation of that discussion. As you know, if the results of such a meeting are to be of use in the EPA CERCLA process, it will be important to have this discussion as soon as possible. Once you have had an opportunity to discuss this with the Trustee Council, we look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim McKenna', followed by a horizontal line.

Jim McKenna
Marty Cramer
Co-Chairs, Natural Resource Restoration Group

cc: Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Grand Ronde Community of Oregon
Confederated Tribes of Siletz Indians of Oregon
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs Reservation of Oregon
Nez Perce Tribe
Oregon Department of Fish & Wildlife
United States Fish & Wildlife
Chip Humphrey, Eric Blischke, EPA
Jim Anderson, DEQ
Rick Applegate, City of Portland
Dean Marriott, City of Portland